

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 1 of 44

1 LAWRENCE LIVERMORE NATIONAL LABORATORY
 2 SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT
 3 US DEPARTMENT OF ENERGY
 4 NATIONAL NUCLEAR SECURITY ADMINISTRATION

5 ---oOo---

6
 7
 8 APRIL 28, 2004
 9 EVENING PROCEEDINGS

10
 11
 12
 13 LOCATION: HOLIDAY INN EXPRESS
 14 3751 N. TRACY BLVD.
 15 TRACY, CA 95376

16
 17
 18
 19 Reported by: DENNIS M. SOUZA, CSR #3893

20 -----
 21 DAILY COPY DEPOSITIONS
 22 388 MARKET STREET, SUITE 400
 23 SAN FRANCISCO, CALIFORNIA 94111
 24 (415) 391-5153
 25 www.dailycopydepositions.com

Page 1

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 2 of 44

1 Tracy, California April 28, 2004

2 MR. BROWN: Let me call on our first speaker.

3 Bernice Turoff is first and Paula LeVeck is
 4 signed up next.

5 MS. TUROFF: I think the major concern from the
 6 people who live around the Livermore Lab are that --
 7 quote concerns are that terrorist attacks might take
 8 place in that area and according to the newspaper, unlike
 9 the security forces of weapons sites, Livermore personnel
 10 do not have certain high powered weapons, durabreaching,
 11 explosives or helicopters to defend the site and it goes
 12 on the talk in the news story, about how inadequate the
 13 preparations are for an attack, for a terrorist attack on
 14 the site.

15 But it was also quoted as saying that this is the
 16 site that is in the -- closest to large groups of people
 17 who live close, right near the site, unlike many of the
 18 other sites that are out in a desert, in the mountains or
 19 in places relatively uninhabited. I am looking around
 20 and seeing that there are very few people from Stockton
 21 here and I guess the further you get away from
 22 Livermore Lab the safer you feel and I don't know why
 23 that would be when as we were coming over from Stockton
 24 to Tracy the breezes were very powerfully coming from
 25 Livermore Lab right over our heads and going through into

1/30.02

Page 2

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 3 of 44

1 the valley and certainly into Stockton. So I think a
2 lot more people should be concerned who aren't and who
3 aren't here to talk about it.

4 And I am also concerned with the impact that
5 we be having on the decisions. I doubt very much
6 whether we are going to be listened to. It is not a
7 vote. It is not something you can say well, do you
8 want it in your community and have the people in their
9 community voting on whether they want it there or not.
10 They will find answers for all of our questions and
11 they will give us quotes about the impact.

12 Whether you can believe what they say or not
13 is kind of something I think we should explore. When
14 911 happened in New York, the health people were quite
15 clear that the air was not healthy to breathe in and
16 the people in New York were told, don't worry about it,
17 it is just okay. We will take care of you, don't
18 worry. It's not a problem. And I have a feeling that
19 when we are listening to things today we are hearing
20 the same thing. The increase in cancer is an
21 environmental thing and I am sure, although I can't
22 prove it and I have no scientific evidence for it, that
23 these kinds of facilities as well as the smoke that
24 comes out of the electrical plants all have their
25 contribution toward the increase in cancer and -- I

2/31.02

Page 3

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 4 of 44

1 guess that's it.

2 MR. BROWN: Thanks very much. Paula LeVeck.
3 And Ria de Groot is next.

4 DR. LEVECK: My name is Dr. Paula LeVeck and I
5 reside in Stockton. I speak as a contributing and
6 active member of the Peace and Justice Network of San
7 Joaquin County; of Physicians for Social
8 Responsibility, of International Physicians for the
9 Prevention of Nuclear War; for The Union of Concerned
10 Scientists and several other organizations. These
11 organizations renounce the first strike use,
12 development and testing of nuclear weapons and strive
13 for the ultimate elimination of nuclear weapons. The
14 proposal to one, increase the supply of plutonium at
15 the Lab; two to design technologies for producing
16 plutonium bomb cores, three, to heat plutonium and
17 shoot multiple beams through the vapor cloud, four, to
18 use plutonium in National Ignition Facility experiments
19 and to perhaps add biological warfare research to the
20 mix to name a few features is abominable and should be
21 unthinkable. We still have thousands of nuclear
22 weapons. They cannot be used. Unless we intend to
23 destroy many times over what the use of a few would
24 have already destroyed. They are useless to counteract
25 or fight terrorism because they are weapons of mass

3/04.01

Page 4

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 5 of 44

1 destruction, not of the destruction of individuals or
 2 groups.

3 Radiation does not distinguish between the
 4 good guys and the bad guys. It affects everyone and
 5 all living things. Nuclear weapons research does not
 6 belong in our backyard. A metropolitan area of seven
 7 million residents that is rapidly increasing in number.
 8 It doesn't belong in anyone's backyard, no matter how
 9 deep underground or how far away in the desert, it
 10 affects everyone and all living things. It doesn't
 11 belong anywhere on the planet earth.

12 Regardless of the attempt to reassure us
 13 regarding environmental and health impact projections,
 14 I am opposed along with numerous members of the
 15 organizations to which I belong to any further research
 16 on or development or testing of nuclear weapons here or
 17 anywhere, ever. Convert the Lab to purposes that
 18 guarantee the future health and well-being of human
 19 kind, not its demise. Thank you.

20 MR. BROWN: Ria de Groot and Greg Getty is
 21 next.

22 Ms. de Groot: My name is Ria de Groot and I
 23 come here also from Stockton -- down wind. I
 24 represent -- come also from The Peace and Justice
 25 Network in Stockton; the Pax Christi Group in Stockton

3/04.01
 cont.

4/07.01

Page 5

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 6 of 44

1 and the Grail National Organization that I belong to.

2 I believe in citizen experts and citizen
 3 experts come in many forms and especially today citizen
 4 experts that care for the preservation of the earth. I
 5 am a teacher of young children, second and third
 6 graders. I am a parent and grandparent of 14 -- both
 7 young and adults. I am an immigrant and was part of
 8 that time period when there was the occupation of the
 9 Nazis in the Netherlands. I am a victim of war. I am
 10 a survivor of war. Bombs were flying all around us.
 11 Windows, roofs periodically damaged, blown off. Many
 12 people dying in the streets.

13 I am a citizen of Stockton, as I said. I am a
 14 grateful citizen of the United States of America. I am
 15 also, along with all the multinational corporations, a
 16 citizen of the world.

17 At 59 years of age, I know something. I know
 18 what safety looks like. This is not safe. To store
 19 1540 pounds of plutonium and to increase that to 3300
 20 pounds -- or as today on the overhead it was stated as
 21 700 kilograms, moving it up to 1500 kilograms of
 22 plutonium here at Livermore Lab. It's not safe to
 23 build more nuclear war heads and to manufacture the
 24 prototype plutonium nuclear weapons and bombs and the
 25 cores on this site. It is not safe to manufacture them

5/33.01

6/37.01

Page 6

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 7 of 44

1 here. It's not safe to store them here.
 2 And as we know, war is not safe for the
 3 military, which it has never been safe for those who
 4 are fighting; but, it is also not safe for citizens and
 5 increasingly so. It was not safe in my country;
 6 citizens were dying all the time. It's not safe for
 7 citizens in Iraq, Afghanistan, and other countries
 8 where war continues.

9 We have to keep remembering what the final,
 10 final goal is of the production of these items. The
 11 final goal is to either use them or to store them -- to
 12 use them means death; to store them means possible
 13 radiation into the air which also, as we heard from the
 14 other speakers, is an increase in the potential for
 15 more cancer to our loved ones.

16 I beg my government not to use our precious
 17 tax money and our other resources on this kind of
 18 activity, this kind of production.

19 MR. BROWN: You are at the four minute mark
 20 now.

21 MS. De GROOT: I gladly pay my taxes for the
 22 common good, for health care, housing and jobs; but, I
 23 oppose, I oppose the production of an increase as well
 24 of these kinds of manufacturing and storing of tritium
 25 and plutonium here at Livermore Lab and I challenge

7/03.01

8/33.01,
34.01

Page 7

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 8 of 44

1 each one of you here who is in an official capacity to
 2 stop -- and yes to stop and choose not to participate
 3 in this madness and to clean up the mess that exists,
 4 rather than to propose new polluting projects.

5 And I ask: Where are the women? The women?
 6 It is not only women that care for the earth, men do as
 7 well, but where are the women from Livermore Lab who
 8 can maybe speak to a little more care for the earth.

9 MR. BROWN: Greg Getty and Patricia Moore will
 10 follow.

11 MR. GETTY: Dear DOE chief. In 1996 the
 12 International Court of Justice put an end to any
 13 substantial legal question about the mass murder being
 14 discussed here today. If we are not all to be
 15 complacent with the crime, should not the honorable
 16 representatives proposing that we consent to
 17 radioactive forms of mass murder being perpetrated on
 18 our behalf be challenged for their participation and
 19 made to answer for charges of 182, 187 California
 20 Vehicle Code violation, conspiracy to murder.

21 If the US Attorney General will not act on the
 22 Title 18 Section 1116, 1117 violation, conspiracy to
 23 murder internationally protected persons and
 24 specifically as a Title 18 violation, can you assure me
 25 you will forward this information and complaint to the

8/33.01
34.01
cont.

9/32.02

Page 8

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 9 of 44

1 US Attorney General as required under the Ethics and
2 Government Act, section 535B of Title 28 dated 4-27-04, 9/32.02
3 Greg Getty, care of Nuremberg Actions, P.O. Box 1637, cont.
4 Pittsburg, California 94565. (925)746-1168.
5 So that was the written comments I submitted
6 yesterday and I, I belabor the point about having this
7 reported because ten years ago I made comments to the
8 environmental impact report in Concord about the
9 nuclear waste shipments through there and my comments
10 were not included in the environmental impact report.
11 So let me repeat the question I made to the State
12 Department spokesman when I asked: How can you ask us
13 to accept this deadly threat when you won't do the
14 simplest thing which is just lift your finger and say
15 that nukes are wrong and he responded saying: We want
16 to be sure they are safe and I hate to say it that they
17 will work.
18 And I said and you give a green light to
19 everybody out there that is gonna do to us what we did
20 to Hiroshima and Nagasaki. You give them a green light
21 when we could put them in chains. Anyone that steps
22 foot in any civilized country who carries around
23 anyone of these obviously criminal things would be
24 thrown in jail if you did the simplest thing which was
25 lift your finger and say that was wrong.

Page 9

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 10 of 44

1 And the State Department person responded as I
2 said we can agree to disagree on the basic function,
3 but we want to be sure that they work.
4 And I said you are still willing to murder
5 babies to protect your interests.
6 The moderator said can we stay focused?
7 So just one last little thing. Nuclear
8 weapons and power depend upon unstable atoms. All of
9 us living things depend on stable atoms. So radiation
10 is evil incarnate, really.
11 I have lived for, like, 15 years at the
12 weapons station in Concord and I got Melanoma cancer
13 and I don't know if it is from living in Pittsburg down
14 wind from Building 81 where they put the tritium in the
15 H-bombs where there is a cancer cluster, a melanoma
16 cancer cluster. I think that's where I got it because
17 Jim Wilcot and Melee Scott died of colon cancer which
18 they might have gotten from the radiation at the tracks
19 and there are other folks from the tracks that died of
20 cancer but this one in a million business is pretty
21 funny.
22 MR. BROWN: Thanks very much. Patricia Moore
23 and Marylia Kelley is next.
24 MS. MOORE: Okay. My name is Trisha Moore. I
25 am a resident of Livermore. I couldn't make it to the

Page 10

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 11 of 44

1 hearings yesterday. I am a member of Tri Valley Cares.
 2 I am a medical social worker and I worked eight years
 3 in outpatient hospice organizations. I have worked as
 4 a counselor with many hundreds of dying patients and
 5 their families. My concern today is with environmental
 6 toxicity, specifically radio activity and its impact on
 7 human health. As a health care worker, I have
 8 witnessed the ravages of terminal illness on children,
 9 teens and young adults and have had to question why so
 10 many people are suffering and dying prematurely. Many
 11 times my patients suspected that they had developed
 12 their disease due to toxic exposure such as agent
 13 orange, agricultural pesticides, chemicals or
 14 radiation. But they were not able to prove their
 15 cases.

16 Given the overwhelming evidence of the health
 17 hazards of radioactive substances I am shocked by
 18 Livermore Lab's ten year plan to increase the
 19 administrative limit of plutonium by 100 percent; to
 20 revive the plutonium vaporization project; to
 21 manufacture tritium targets and to increase by tenfold
 22 the lab's day to day work with tritium.

23 It is known that a person inhaling a few
 24 micrograms of plutonium, just a microscopic amount, is
 25 likely to develop fatal lung cancer ten to twenty years

10/04.01

11/23.02

Page 11

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 12 of 44

1 after exposure. At some point the cells damaged by
 2 alpha radiation begin to multiply uncontrollably. If
 3 we were subject to a serious earthquake, a terrorist
 4 attack, an accident on the part of a worker or a
 5 highway accident, the extremely combustible plutonium
 6 which is also subject to spontaneous combustion could
 7 burn and would produce tiny aerosol particles of
 8 plutonium which can easily enter and lodge in the
 9 lungs.

10 Livermore is a city, in an area of enormous
 11 population growth with many housing developments
 12 springing up all around the Lab. This is also a
 13 thriving agricultural region of grapes and cattle,
 14 olives and wine. How can the DOE and the Lab even
 15 consider ramping up programs with known carcinogens
 16 that can never be disposed of and that take 240,000
 17 years to decompose. Integrated technology project
 18 states that there will be a greater amount of material,
 19 use, storage and transportation of plutonium. Right
 20 here near the population center of 7 million people, as
 21 some someone already mentioned.

22 Tritium is much more radioactive than weapons
 23 grade plutonium and apparently the gas can escape
 24 easily during routine operations or if there were an
 25 accident. When released into the environment it binds

11/23.02
cont.12/27.01,
33.0113/34.01,
23.02

Page 12

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 13 of 44

1 to water molecules and becomes biologically toxic.
 2 Tritiated water H2O is a common chemical state
 3 of tritium and according to the National Academy of
 4 Science it has easy and rapid access to cells including
 5 those of the embryo or fetus. According to the NAS
 6 study of low level ionizing radiation, tritiated water
 7 induce significant decreases in relative weights of the
 8 brain, testes and ovaries when exposure began at the
 9 time of the mother's conception. Even low exposures,
 10 this is .003 rads per day, were implicated in the
 11 induction of behavioral change such as delayed
 12 development of the writing reflex or balance and
 13 depressed spontaneous activity.
 14 I am not a scientist. I am interested in the
 15 studies and I have consulted with scientists and there
 16 will be references in my letter at the end of my
 17 written material but there is also evidence that low
 18 level radiation from tritium can interfere with the
 19 human master code mechanism for DNA and so far there is
 20 no indication that this master code mechanism has an
 21 ability to repair itself when damaged by tritium.
 22 Further it has been shown that tritium interferes with
 23 cell membrane systems. So the Lab already had two
 24 large accidental releases during the Cold War and there
 25 is evidence even in your reports that there are higher

14/34.01,
 23.02
 cont.

15/23.01

Page 13

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 14 of 44

1 than normal levels of tritium in local grapes and wine. 16/16.01
 2 It is illogical to assure us of our safety given the
 3 history of the Lab's spills releases and leaks and
 4 accidents will always happen. I believe that manmade
 5 radioactive pollutants in the environment must be 17/23.02
 6 minimized to ensure a healthy future for the earth's
 7 inhabitants. Research shows that cancer is only the
 8 tip of the iceberg for the genetic damage done by
 9 ionizing radiation.
 10 MR. BROWN: Four minute mark.
 11 MS MOORE: It is well know that radiation is a
 12 cofactor in many disease especially those diseases
 13 which are induced by free radical damage. Radiation
 14 exposure also accelerates the aging process. According
 15 to the late John Goffman from Livermore Lab, no safe
 16 level of radiation exposure of exists although the EPA
 17 and NRC have set up working standards.
 18 The Lab is already a Superfund cleanup site
 19 which the current US Administration wants to downplay
 20 and there are currently 900 to 1,000 pending health
 21 claims against DOE from workers at Livermore Lab. My 18/23.04
 22 work with hundreds of dying people and their families
 23 made me realize how short our lives are and how fragile
 24 and precious life is. Why are we here on earth? And
 25 what is most important? There are great minds and

Page 14

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 15 of 44

1 talents in the scientific community. Let's turn the
 2 focus away from generating more toxic and radioactive
 3 pollution, away from unnecessary diseases and health
 4 problems, away from global nuclear proliferation and
 5 toward the resolution of a serious global problems that
 6 face us.

10/04.01
 cont.

7 Please consider revising the alternatives
 8 analysis to include conversion of the facility to
 9 civilian sciences and to the cleaning up of the
 10 existing radioactive materials. Thank you.

19/07.01

11 MR. BROWN: Marylia and Bob Say, I believe is
 12 next.

13 MS. KELLEY: I am Marylia Kelly. I am
 14 executive director of Tri Valley Cares. I live in
 15 Livermore on East Avenue about a quarter mile from the
 16 Laboratory's main site. I have spoken about several
 17 things, tonight I am going to concentrate on the
 18 accident analyses that you saw and then a couple of the
 19 programs involved with the increases in nuclear
 20 materials planned for the Lab; but, before I start, I
 21 need to say, Tom, that I know during the scoping
 22 comments members of my organization specifically said
 23 that the health and safety of the workers is part of
 24 the NEPA review, must be part of the NEPA review and
 25 should be part of this document and I want to reiterate

20/23.03

Page 15

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 16 of 44

1 that here. Tri Valley Cares represents 4200 local
 2 residents and some of them are workers at
 3 Livermore Lab.

20/23.03
 cont.

4 The bounding accident, which you saw up here
 5 for the plutonium facility, Building 332, that
 6 unfiltered room fire, has a lot of assumptions that are
 7 behind it. One is that the airborne release fraction
 8 will be 0.0000, four zeroes, and then 5. Also there is
 9 an assumption of what is called the leak path factor,
 10 which I am going to just call leak path, because you
 11 can't say those three words together, is five percent.

12 So I began to look to see whether or not those
 13 are reasonable assumptions. Has anyone looked at this?

14 And I found in March, last month, the Defense
 15 Nuclear Safety Board indeed looked at the Laboratory's
 16 methodology offered in determining the consequences of
 17 accidents in the plutonium facility and for those that
 18 don't know the DNFSB they are chartered by Congress to
 19 do oversight of nuclear activities in defense
 20 facilities like the Department of Energy is Livermore
 21 Lab. So they looked at this path analysis and found
 22 the model fails to account for the additional leak
 23 paths that would result from the use of emergency exit
 24 doors by the plutonium facility personnel as they
 25 evacuated the facility during the fire. The DNFSB says

21/25.07

Page 16

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 17 of 44

1 evacuation is essential for worker protection as
2 described in the facility specific fire hazard
3 analysis. Of course we want the workers to leave the
4 facility and of course when the door opens,
5 radioactivity will be released. So they essentially
6 forgot to model that in their calculations. Therefore,
7 says the DFNSB, the calculated leak path factor of 5
8 percent is unrealistic.

9 I am going to summarize because otherwise I
10 will run out of time. Then they went on to say that
11 these calculations of consequence from these accidents
12 in the plutonium facility are based upon a fire
13 scenario that lasts only for a short period of time and
14 they forgot to include the radioactive emissions that
15 would get out of the facility over the subsequent days.
16 So basically, they are calculating that nothing will
17 get out of the facility so of course it is not gonna
18 hurt anybody and what the Defense Nuclear Facility
19 Safety Board is saying is that they are using very
20 unrealistic calculations, here. The computer program
21 manual, this is also DNFSB, used to calculate the leak
22 path factor, this model is called Contained, has
23 cautionary notes with regard to its use for modeling.
24 These notes recommend performing sensitivity analyses
25 on important input parameters, for example, the size of

21/25.07
cont.

Page 17

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 18 of 44

1 a time step, to prevent incorrect conclusions. Such
2 sensitivity analyses have not been performed in support
3 of the leak path calculation, says the Defense Nuclear
4 Facility Safety Board.

5 So we have to say that in this site-wide
6 environmental impact statement DOE must redo those
7 calculations and must recirculate the document for
8 public comment with the redone calculations.

9 With respect to the plan to increase the
10 storage limit for plutonium, I want to put it into
11 pounds for people who don't work in kilograms. The
12 current limit is 1540 pounds. The plan is to increase
13 it to 3300 pounds. Now, in 1992 the Department of
14 Energy produced a site-wide environment impact
15 statement that stated the administrative limit is 1540
16 pounds but that document contained a pledge to reduce
17 the inventory in the plutonium facility and reduce,
18 therefore reduce the plutonium on site which made
19 sense, the close of the Cold War, Livermore was no
20 longer fabricating prototype triggers for its nuclear
21 test shots in Nevada -- in 1992 the Nuclear Test
22 Moratorium Act -- so we expected to see that the amount
23 of plutonium would go down. In 1999 the
24 Department of Energy did a supplement analysis to that
25 site-wide EIS and kept the 1540 pound limit. And by

21/25.07
cont.

22/33.01

Page 18

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 19 of 44

1 the way, the government had been doing so-called
2 stockpile stewardship for years by the time 1999 came
3 around.

4 So the question is what's new today that
5 causes the proposed action to be -- to more than double
6 it.

7 MR. BROWN: You are at about the four minute
8 mark.

9 MS. KELLEY: All right. So I am going to talk
10 about a couple of those programs but I do think that
11 the document needs to more explicitly deal with that
12 question.

13 What's new? Livermore Lab it says is going to
14 be the place where we fabricate -- I am sorry, where we
15 prototype pits for the modern pit facility that's
16 planned. So Livermore is going to develop the
17 technologies that will be used in the new modern pit
18 facility which is essentially the new Rocky Flats. In
19 my written comments, I am going to go into a lot more
20 detail about that, because that program's actually been
21 held up by the DOE and by Congress. So Livermore is
22 jumping the gun by proposing to go forward with the
23 technology for that facility and this document needs to
24 be very specific, how many hemi-shells or pits are
25 going to be prototyped -- you know -- how many

22/33.01
cont.

23/37.01

Page 19

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 20 of 44

1 prototypes of pits and hemi-shells are actually going
2 to be manufactured at Livermore under this proposed
3 action? It doesn't say that. I know in the mid-90's
4 when they were playing with the tilt pour furnace for
5 the net casting, they were producing prototype
6 hemi-shells. Exactly what are they going to be doing?
7 How many are going to be produced.

8 They are also planning to revive plutonium
9 atomic vapor laser isotope separation. That's been
10 discussed very briefly but that's one of the reasons
11 why they are going to raise the at risk limit for
12 plutonium, how much you can use in a single processor
13 room three fold from 44 pounds to 132 pounds -- again
14 for those of you who don't do kilograms, that's what we
15 are talking about, and we are talking about a feed
16 stock of 220 pounds of plutonium per year, just for
17 this plutonium atomic vapor laser isotope separation
18 which is called the integrated technology project in
19 the document and much of that's going to be in the form
20 of powdered plutonium oxide and they are going to
21 convert it into a metal first, you have to, in order to
22 vaporize it, in order to shoot the laser beams through
23 it and ionize out the isotopes and that conversion
24 process can be quite ugly and the consequences of that
25 are not at all detailed in this document and there are

23/37.01
cont.

24/27.01

Page 20

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 21 of 44

1 several different ways to do it and I think you are
 2 going to try direct conversion but you haven't ruled
 3 out a fluoride process, you haven't ruled out a number
 4 of things and I would like to see a lot more detail in
 5 this document and they are going to use plutonium in
 6 the National Ignition Facility mega laser, something it
 7 was promised would not happen back in 1995, which is
 8 why the Department of Energy did not analyze that when
 9 it did its non-proliferation review of the National
 10 Ignition Facility. This is going to increase NIF's
 11 hazard to workers. It specifically says workers will
 12 get doused putting in and taking out the special little
 13 target chamber they have to build to go inside the
 14 bigger target chamber and every shot they have to build
 15 another one, every fission shot they have to build
 16 another one and it has to be taken to the Nevada Test
 17 Site and be buried as waste and every shot. Basically,
 18 this moots the non-proliferation review. They need to
 19 do a new one. It needs to be in this document. It
 20 needs to be with other non-proliferation reviews
 21 including plutonium AVLIS and it has to be recirculated
 22 to the public so it can be commented upon before these
 23 decisions become final.

24 MR. BROWN: Okay, thank you. Bob Say, if I
 25 have that right. Okay, and Jack Cameron will follow

24/27.01
 cont.

25/26.01

26/01.01,
 31.04

Page 21

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 22 of 44

1 you.
 2 MR. SARVEY: My name is Bob Sarvey. I am a
 3 resident, I am a businessman in the City of Tracy and I
 4 am a little confused. I have been reading in the
 5 papers that the Department of Energy is stating that
 6 the risk of storing plutonium in Livermore is too high
 7 a risk in a heavily populated area and yet I am reading
 8 a site-wide environmental study saying we are going to
 9 double the amount of plutonium, so that is real
 10 confusing. I would like to see the final EIR to tell
 11 us actually what Department of Energy's intentions are
 12 here because it is really confusing. I mean, I have
 13 read three or four front page articles, Spencer Abraham
 14 wants that stuff out of here but yet you are guys are
 15 talking about doubling it. So that a problem I have
 16 with it.

17 First, I want to say I support the activities
 18 of the Lab that enhance the environment, energy related
 19 research, environmental protection, these are the valid
 20 missions of the Lab, not creations of new weapons of
 21 mass destruction, nuclear or biological.

22 In the Cold War, the purpose of the Lab was to
 23 provide deterrents, stockpile stewardship. Today the
 24 world faces a new danger unrelated to the Cold War. We
 25 are now dealing with an enemy that relishes death, that

27/33.01

28/07.01

Page 22

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 23 of 44

1 relished destruction. We are no longer deterring
 2 anything. In fact, we are providing weapons for our
 3 enemy to use against us in our own backyard. It is not
 4 a very sensible way to approach things.

5 That being said I want to talk for a minute
 6 about the impact of Site 300 and Lawrence Livermore Lab
 7 on the Tracy community. This is a map of the existing
 8 inhalation cancer risk in the City of Tracy. This is a
 9 secret that's been kept from everyone. Three to four
 10 times the state average for inhalation cancer risk
 11 exists in our town and that is something I would like
 12 to submit to you, that purple area.

13 Now, on top of that, the State in their
 14 infinite wisdom is putting three major power plants in
 15 our backyard, 1100 megawatt Tulsa Power Plant, 1169
 16 megawatt East Altamont Energy Center and 169 megawatt
 17 Tracy Peaker plant. The combined total of toxic air
 18 contaminants from these three facilities is 1,000 tons
 19 per year. That does not include the criteria of
 20 pollutants.

21 Now, to add to our little mix of chemicals
 22 here with our already elevated cancer risk we have a
 23 City and County that is approving many subdivisions
 24 that will bring business parks, homes and many, many
 25 automobiles with more toxic air contaminants. In fact,

29/23.02

Page 23

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 24 of 44

1 the Mountain House Community is estimated to produce
 2 1471 tons per year of nitrous oxides. 1,008 tons of
 3 VOC's and 158 tons of PM10. We have three business
 4 parks, 25,000 new jobs each. We have the Tracy Hills
 5 Tech Park, 327 tons of nox per year, 168 tons of VOC's,
 6 all these projects also generate toxic air contaminants
 7 which are not contained in their environmental
 8 statements and they are not mitigated. They may say
 9 they mitigate the criteria air pollutants; the toxic
 10 air contaminants are not mitigated, so essentially what
 11 you have here is a stew.

29/23.02
cont.

12 Now what I would like to know is: Will the
 13 site-wide environmental impact study discuss the
 14 background cancer risk in the City of Tracy in
 15 combination with the three power plants and the
 16 numerous residential developments and business parks
 17 that are being put in the City of Tracy. That is my
 18 number one concern, the site-wide environmental study
 19 has to do a cumulative health risk assessment including
 20 the background and all the new projects that have been
 21 certified and are currently some under construction.

30/23.02

22 Now, the previously what we talked about, the
 23 cancer risk from people who are along the routes of the
 24 trucks that are carrying these new radioactive
 25 materials to our community, that was 6.5, I don't quite

31/20.01

Page 24

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 25 of 44

1 understand how they came up with that number, but
2 that's beside the point. On top of that what's not
3 being discussed is that the increase in experiments at
4 Site 300 will increase the dosage from 1.8 person rem
5 per year to 9.8 persons rem per year for Site 300.
6 That is a substantial increase. I believe it is on the
7 magnitude of about 400 percent so I want the site-wide
8 environmental impact study to discuss that in relation
9 to the existing projects that I've already elaborated
10 on here.

31/20.01
cont.

11 And I want to talk about environment justice.
12 What environmental justice puts in a community that all
13 ready has an existing elevated cancer risk these types
14 of projects and continues to pile radiation on top of
15 that? What kind of government, what kind of State, who
16 does this? I just, I don't understand it. It doesn't
17 make sense. I would like to have that discussed. I
18 want to know how the environmental impact statement
19 will deal with the environmental justice to the
20 citizens of Tracy and Livermore.

32/17.04

21 I would like to know the exact number and
22 quantity of shipments of hazardous materials and
23 radioactive waste that will be transported through our
24 community and I would like to know what additional
25 security measures will be associated with transporting

33/15.02

34/20.01

Page 25

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 26 of 44

1 that material through our community.

2 MR. BROWN: You are at about the four minute
3 mark.

4 MR. SARVEY: Thank you. I would also like to
5 know will your new bio facility be a hardened facility.
6 Can it withstand a commercial airliner collision or
7 shoulder fired rocket? How many new security officers
8 and what additional training and screening will be
9 provided for the new operations and I would like to
10 know: Are these security officers that presently work
11 there, are they working a lot of overtime? Are they
12 tired on their job or are they alert and ready to go?

35/30.01

13 And I also have some comments here from TRAQC,
14 Tracy Regional Alliance For Quality Community.

15 I want to just briefly give you the headlines
16 on them. Then I will discuss their written comments.
17 First is radioactive tritium should not be allowed in
18 shots, test explosions at Site 300 nor an environmental
19 testing of explosive assemblies that release
20 radioactive tritium into the environment. No increased
21 dose to workers or the community should be allowed.
22 Please provide agreements and arrangements with fire
23 protection, police, security and emergency service for
24 incidents that may occur at Site 300.

36/17.01

25 Do not increase dangerous projects in a

37/04.01

Page 26

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 27 of 44

1 seismically active area. Preserve the local
2 environment and protect endangered species. Do not
3 allow increases in waste generation that increase
4 contamination in air water and soil at Site 300. All
5 decontamination and decommission activities have not
6 been thoroughly taken into consideration and should be.

37/04.01
cont.

7 One more issue I want to talk about is the
8 fact that every year we face a funding crisis at Site
9 300 for cleanup and yet we are sitting here talking
10 about spending billions of dollars to increase our
11 activities at the Lab without spending one cent to
12 clean up what has already been deposited there at Site
13 300. This is gross inaction here. We should be
14 spending all the money we can and once we clean that up
15 then we can talk about bringing in new shipments of
16 nuclear material and new testing. Until that is done
17 that should not be discussed. Thank you.

38/03.01

18 MR. BROWN: Jack Cameron. Is Jack here? Gail
19 Rieger and Gail will be followed by Don Larkin.

20 MS. RIEGER: My name is Gail Rieger and I have
21 lived in Tracy for the last eight years and I am just a
22 mom with three kids, one is 9 who wanted to come today
23 at first and she decided it would be too scary and I
24 agree with her, I am glad she didn't come.

25 One is 14 and I have a 17-year-old autistic

Page 27

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 28 of 44

1 boy who I truly believe part of the causes of autism
2 have to do with the environment and the toxins and the
3 environment, we are not going to go there now, but I
4 don't think all the additional things that are going to
5 be happening at the Lab are going to help our autism
6 rates at all.

39/23.02

7 There is not a lot that I can add in my talk
8 here because the people that have talked before me, I
9 am nodding in agreement with everything that they've
10 said from the terrorist attack -- when I drive the
11 freeway all the time, you know, I am looking at all the
12 trucks that come by and I always think are any of them
13 carrying any nuclear materials, the accidents that you
14 see constantly. It is very scary. When I drive by the
15 canal I, you know, think how easy it would be to just
16 drop a piece of plutonium or other chemicals into the
17 water supply there and how it could kill so many
18 people. When I drive by the Livermore Lab I also think
19 how scary that is, that it is in the middle of these
20 millions of people and maybe when the Lab was first
21 built in the '50's there wasn't a lot of population
22 around but now there is and I really don't think we
23 need to be increasing the amount of plutonium and other
24 things at the Lab right now. I think it is really
25 important to do the kind of work I think that Bob

40/30.01

41/33.01

Page 28

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 29 of 44

1 Sarvey had said and others about environmental issues
2 and I don't see why the Lab and the US couldn't be the
3 leaders in research and alternative energies and
4 spending the billions of dollars that they do on
5 research and the nuclear issues, it just doesn't make
6 sense. We need to be the leaders of research in
7 alternative energies and not in nuclear bombs. So,
8 thank you.

42/07.01

9 MR. BROWN: Thank you. Don Larkin and Travis
10 Fretter is next.

11 MR. LARKIN: My name is Don Larkin. I think
12 we should spend a few minutes talking about what the
13 benefits are for all this proposed activity at the Lab.
14 And we know from the Nuclear Posture Review that the
15 benefit is a new generation or a new nuclear weapons,
16 it has to be generation of new nuclear weapons
17 including mini nukes which although they may be small,
18 they may have a small explosive explosion compared to
19 the weapons currently in our arsenal, they are still
20 really huge, still extremely powerful and destructive.
21 I have heard people say a couple things about this
22 activity and what these weapons are. One is that we
23 have to do it because if we don't do it, somebody else
24 will, and that is patently false. The United States is
25 the only country with the money and the inclination to

43/02.01

Page 29

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 30 of 44

1 do nuclear weapons research like this. We are the
2 driving force. The other thing I hear people say that
3 we will never use them, we will just threaten people
4 with them. Despite the fact the goal is to make more
5 new usable nuclear weapons. So I think we ought to
6 consider whether or not we would actually use these
7 weapons and it so happens that in Iraq and Afghanistan
8 we have now sort of a laboratory, a demonstration of
9 how the US uses high tech weapons and one question we
10 could ask is: Is the fact that these weapons have a
11 radiological fallout and debris prevent us from using,
12 would that restrain us from using it and the answer has
13 to be no based upon the evidence. We're using depleted
14 uranium weapons in Iraq again despite the evidence from
15 Kosovo and the first war about their hazardous effect.
16 We have evidence from Rocky Flats and Hanford that
17 there was very little concern about radiological
18 effects of even doing the research so I don't think
19 that is going to constrain the United States from using
20 it.

43/02.01
cont.

44/32.02

21 What about civilian casualties? Will that
22 constrain people? After all, the military claims that
23 the war in Iraq has the most -- has seen the most
24 precise use of weapons in history and that civilian
25 casualties are kept to a minimum but they don't even

Page 30

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 31 of 44

1 keep track of civilian casualties for a population of
 2 people we say we are liberating, we are bringing
 3 democracy to them. We don't even care who we are
 4 killing. Estimates are that there are over hundred
 5 thousand -- ten thousand dead now and possibly more.
 6 We have no crash program to provide medical
 7 care and the best treatment possible for those people.
 8 We don't care. So I don't think that is going to
 9 constrain us, to stop us from using these weapons. So,
 10 in effect, I think we have to take them at their word.
 11 They will use these weapons they are developing.
 12 Today, again, we dropped 500 pound bombs on houses
 13 where we saw we thought some bad guys were, bad guys in
 14 quotes, not caring who else might be in those houses.
 15 So I think a country that turns soccer fields into
 16 grave yards is capable of using these weapons.
 17 What is the result if we do use them? The
 18 barrier between conventional nuclear forces will be
 19 breached and this will breach it for all time and for
 20 all other countries and all other actors. There will
 21 be universal revulsion against the United States. We
 22 will be seen as an outlaw nation. We will become more
 23 isolated. There will be a dwindling middle ground and
 24 that middle ground is what constrains people who are
 25 more willing to act against us so there will be less

Page 31

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 32 of 44

1 constraint on people who want to act against us. There
 2 will be more incentive to use terror tactics against
 3 us. There will be more incentive for other people,
 4 nations to develop their own nuclear arsenals that is
 5 to deter us. In other words, we become less secure and
 6 the proliferation of nuclear weapons is increased. You
 7 can't fight terror with war and new weapons, especially
 8 weapons of terror like those developed at this lab.
 9 You can't end proliferation by creating more weapons to
 10 proliferate.
 11 There is another way. In this world where
 12 there is growing inequality and where there is close to
 13 one billion people malnourished, I think the United
 14 Nations estimated it was 140 million people on the
 15 earth are malnourished. Two billion people live on
 16 less than two dollars a day. If you took the six
 17 billion they are spending on developing new nuclear
 18 weapons, you could double the income of that two
 19 billion people that live on two dollars a day and still
 20 have billions left over for administrative expenses to
 21 administer the program. You could do a lot of things
 22 in the world to increase people's security, their
 23 freedom with this sort of money and that would make us
 24 safer and you wouldn't have to put the communities of
 25 Tracy and Livermore and Stockton at risk with these

45/01.01

46/03.01

Page 32

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 33 of 44

1 ill-advised activities. Thank you.

2 MR. BROWN: Okay, Travis Fretter followed by
 3 Shelby Janes.

4 MR. FRETTER: My name is Travis Fretter. I am
 5 a native of Berkeley. I am opposed to Lawrence
 6 Livermore National Laboratory's participation in
 7 increased storage or development of weapon systems or
 8 even a return to older projects of that type. I would
 9 prefer that such changes, if mandated by the
 10 government, be managed at more remote sites such as Los
 11 Alamos or Nevada. The Chronicle article strikes me as
 12 a little alarmist approach leaning heavily on the power
 13 of hindsight. It mentions the possibility of another
 14 entity taking over the management of the Lab and
 15 nobody's talked about that but I would like to just put
 16 in my two cents on that one. My father was a physicist
 17 at the University of California and he later became
 18 Vice President and worked with Dave Saxon who was also
 19 a physicist and President of the University. So during
 20 that time I asked him: Now, they are talking about
 21 somebody else managing Livermore and Los Alamos and
 22 what do you think about that?

23 And he said, this is ten years ago, something
 24 to the effect of: Well, you could have somebody in the
 25 equivalent of Bush's government managing it directly or

47/02.01

48/08.01

Page 33

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 34 of 44

1 maybe a private entity like Enron or Haliburton and I
 2 don't think they would do as good a job for the people
 3 as the University of California does which has a
 4 different set of criteria for their management
 5 approaches. So I have always thought in this question
 6 which nobody discussed about who is managing it, it is
 7 really important for the University which seems to be
 8 the most effective and stable management entity to
 9 continue that management should that question come up
 10 in the forthcoming discussions about increasing the
 11 activities at the Lab.

12 So finally, I just want to say I support the
 13 elimination of all nuclear arms world wide with the
 14 United States leading the way. Thank you.

15 MR. BROWN: Shelby Janes and Shirley Green
 16 will follow.

17 MR. JANES: I am Shelby Janes, former
 18 treasurer of our State capital's branch of Peace
 19 Action, formerly known as Sane Freeze. Remember Sane
 20 Freeze the -- it is insane not to freeze the
 21 uncontrolled use of radiation and bio chemicals.

22 I have also appeared at previous hearings. I
 23 got a hold of something and it frightened me just a bit
 24 and I brought some kind of visual aids with me but the
 25 important thing is it was talking about the Lab

49/01.03

Page 34

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 35 of 44

1 proposes genetic modification and aerosolization,
2 spraying with live anthrax, you know, these living
3 things, and plague, and other deadly pathogens. In
4 could weaken the International Biological Weapons
5 Treaty. Now that is important, isn't it?
6 And it poses a risk to workers, the public and
7 the environment here in the Bay Area.
8 Well, I don't have to bring out the aerosol
9 spray can to demonstrate that. Let me just relieve our
10 mind here for just a moment, might seem like comic
11 relief, but I really do seriously want to invite
12 everybody, especially the locals, but I am including
13 everybody, to the nearby Arby's. I think it would be
14 nice to have a talk fest and I'm treating. It is just
15 down the road by the A.M./P.m., if I may mention that.
16 It is apparently close to the McDonalds. It is next to
17 the Wendy's and the Arby's is the only place I know of
18 that has potato cakes so all of you are welcome there
19 after this meeting. Especially you folks that talked
20 with terms like criticality issues, the alpha
21 particles, bringing up the fact that earthquakes could
22 happen here so close to the San Andreas fault and the
23 fellow that mentioned toxic air contaminants.
24 I see I haven't reached my four minutes yet,
25 so let me tell you something else that frightened me.

50/35.01

Page 35

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 36 of 44

1 Apparently the Lab intends to heat plutonium and this
2 is just a flashlight to demonstrate shooting multiple
3 laser beams through the vapor cloud. I find that
4 frightening and I am no where close to four minutes.
5 MR. BROWN: That potato pancakes gets you some
6 extra time.
7 MR. JANES: As you can tell, I didn't go to
8 business law like my friend advised. I have become a
9 performance composer and I certainly hope I don't have
10 to compose something that tries to bring this issue to
11 more public attention. I think we have more important
12 things to do than that.
13 So in conclusion I would just like to say to
14 the decision makers concerning these issues, thank you
15 for this chance for dialogue, we have all heard each
16 other talking. I want to congratulate you all on your
17 devotion to scientific matters. I, myself, received
18 third place in our Midwestern Science Fair, thank you
19 for your time.
20 MR. BROWN: Okay, Shirley Green.
21 MS. GREEN: Can you hear me? Okay. I am
22 starting an organization called military families
23 against corporate colonialism. I come from a military
24 family. My father a retired navy lieutenant commander,
25 father-in-law retired Army Colonel. My stepmother was

51/27.01

Page 36

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 37 of 44

1 a secretary to the -- the secretary of naval air
2 warfare in the Pentagon. My aunt was the Inspector
3 General for NASA. I currently have numerous young
4 nephews, nieces and sister-in-law in the military. My
5 sister-in-law was in Baghdad during the bombing. She
6 helped to set up communications. She was there in
7 August setting it up long before the war began. I have
8 a nephew there right now riding around in a depleted
9 uranium tank and he gets regular exposure. So we are
10 currently wondering how long it will be before he has
11 to go see a VA doctor for burning semen and perhaps his
12 wife will end up having uterine problems because of his
13 exposure to her and we wonder about the long-term
14 health of their newborn son.

15 Now, my written comments are: Former
16 employees of the Lab have told me personally that when
17 an employee begins to question the mission of the labs, 52/32.05
18 they are required to go into counseling. I find that
19 very interesting.

20 Number two, according to republican Senator
21 Chuck Hegel on NBC, the Today Show this week, he says:
22 This is a generational war expect it to last 25 years
23 and Senator Biden was also being interviewed regarding
24 this. They were talking about the draft.

25 Both of them feel it is necessary. We

Page 37

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 38 of 44

1 currently have 1.2 million people in the military.
2 135,000 in Iraq. Don't tell me we don't have an
3 empire.

4 This is a war based on false premises of
5 terrorism. The CIA, according to Chalmers Johnson calls
6 it blow back, a term that the CIA coined back in 1954
7 when covert actions were responded to with quote
8 terrorism against innocent Americans.

9 This is a war to secure America's dominance
10 over oil and gas reserves throughout the middle east as
11 well as the Caspian. In doing so they will control
12 two-thirds of the world's resources. It is a war to
13 eliminate competition and yes they are going to be a
14 lot of very angry people along the way that our
15 government currently and plans on to continue calling
16 terrorists. Our world wide oil reserves may have
17 already peaked, according to geologists in the
18 industry. We may have already reached the peak of
19 world wide output.

20 So this is a race to get the rest -- to get
21 control over these major oil deposits.

22 We need a nuclear war. We need dirty little,
23 small mini nukes. We need to make sure our competition
24 is eliminated. We need to make sure our competition
25 feels no desire to challenge us. All of our little

Page 38

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 39 of 44

1 attacks around the world, historically, have been to
2 keep our competition from thinking that they can take
3 us on.

4 We need to be spending the billions and
5 trillions of dollars being spent on this insanity to
6 create a world of cooperation and mutual respect with
7 technologies that are earth friendly. I find it highly
8 inappropriate that Tom Grim, an employee of Lawrence
9 Livermore Labs, is in charge of collecting public
10 comments.

11 Someone mentioned that we will never use
12 nuclear weapons. We are using them and we used them in
13 Gulf War 1 and we plan on continuing to use them --
14 quite a precedent. That is all I have to say.

15 MR. BROWN: That concludes a -- oh, fine.

16 MR. GRIM: Can you hear me? I just want to
17 say I am not an employee of the University of
18 California that operates the Lab. I am a federal
19 employee with the National Nuclear Security
20 Administration there at the Livermore site office. We
21 have about 100 federal employees with over sight
22 responsibilities for the Lab.

23 SPEAKER: I have a space outside of the Lab
24 where you can collect your information. Do you not
25 have to be on the same site as the Lab.

Page 39

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 40 of 44

1 MR. GRIM: Okay.

2 MR. BROWN: We have all those comments on the
3 record, then. That was the last person who had signed
4 up to speak. If anybody who hasn't spoken yet has
5 anything to add, raise your hand. You are certainly
6 free to come forward. Okay. Again, if you can provide
7 us your name and organization affiliation, if
8 appropriate.

9 MS. CONDI: My name is a Alexis Condi and I
10 just came here as an individual although I am
11 affiliated with some organizations.

12 But I come here as a survivor of one down-wind
13 episode already. Many don't realize that in 1951 above
14 ground nuclear testing began in the Nevada desert and
15 continued for 12 years. The doctors predict that
16 radiation exposure can cause birth defects and cancer.
17 My older sister born in 1951 in Utah had both. Back in
18 those days there were people like these giving all the
19 right answers. It sounds to me like we are having all
20 the right answers given to us again. The problem I
21 have, I have a couple of degrees and a couple of
22 teaching credentials from the University of California
23 at Davis and I have all kinds of loyalty to the
24 United States but I don't believe you. I find it
25 laughable that there could be a prediction that an

53/25.06

Page 40

DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 41 of 44

1 accident at Livermore Lab involving plutonium could
 2 only happen one in a million years. How could we
 3 honestly say that we now know in 2004 what could happen 53/25.06
 4 and truly control for all the variables that could cont.
 5 occur over a one million year period. I am also
 6 disappointed the Draft Site-wide Environmental Impact
 7 Statement for Continued Operation of Lawrence Livermore
 8 National Laboratory decided to neglect to include
 9 statistics on cancer and birth defects for children in 54/23.02
 10 California. I have read that both cancer and birth
 11 defects in California are on the rise in children and I
 12 am not comforted that Livermore statistics were not
 13 even included in the report.
 14 I really wish I didn't feel this way. I
 15 really wish I could believe these people. But after
 16 having watched the situation in Utah where for 30 or 40
 17 years the government systematically lied and denied
 18 people even access to medical care, they would, they
 19 would get calls, the doctors were trying to treat
 20 people would get calls from the nuclear agency saying
 21 that we are going to nail you to the wall if you tell
 22 these people what's wrong with them.
 23 So I think there is a lot of people out there
 24 like me. I know that I drove here from Sacramento. I 55/25.06
 25 don't believe that a 50 mile radius around Livermore

Page 41

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
 April 28, 2004, Evening Proceedings
 Page 42 of 44

1 Lab is sufficient to even begin to discuss an
 2 appropriate environmental impact statement and I know 55/25.06
 3 there is a lot of people out there like me. Now I cont.
 4 happen to have been raised in a very Christian
 5 environment. There is a lot of people out there in the
 6 United States that simply just don't believe the
 7 government anymore. So I am not as much concerned
 8 sometimes about the terrorism outside as I am about
 9 things like happened in Oklahoma City. Thank you.
 10 MR. BROWN: Anyone else that hasn't spoken yet
 11 that would like to add any comments? Given the fact
 12 that no one else choosing to speak at this time, there
 13 wasn't an end time published for this meeting and I
 14 think what we often do in these circumstances is I
 15 think we will remain available for comments through
 16 9:30. So I think what we will do at this point is to
 17 recess. If any of you decide you would like to add
 18 something more, please see me. If somebody else
 19 happens to show up later and wants to make a comment,
 20 we will reconvene and do that. So we are currently in
 21 adjournment and I appreciate your attendance and your
 22 comments tonight.
 23 MR. BROWN: It's 9:30, the time that we have
 24 announced that we would reconvene and if there were any
 25 other persons wanting to enter statements in the

Page 42

DAILY COPY DEPOSITIONS
 1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 43 of 44

1 record. Seeing that there is no member of the public
2 present at this point, we will officially adjourn the
3 meeting. Thank you very much.

4 (Whereupon the hearing was adjourned).
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 43

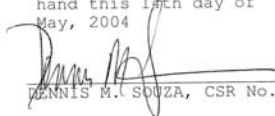
DAILY COPY DEPOSITIONS
1-800-729-1804

Public Comment Hearings, Tracy, CA
April 28, 2004, Evening Proceedings
Page 44 of 44

1 STATE OF CALIFORNIA)
2 COUNTY OF ALAMEDA) ss.
3)
4
5
6
7
8
9

10 I hereby certify that the public hearing
11 was taken at the time and place therein named; that the
12 comments of the said witness was reported by me, a duly
13 Certified Shorthand Reporter and disinterested person,
14 and was thereafter transcribed into typewriting under
15 my direction.
16
17
18
19
20
21
22
23
24
25

WITNESS WHEREOF, I have
hereunto subscribed my
hand this 14th day of
May, 2004


DENNIS M. SOUZA, CSR No. 3893

Page 44

DAILY COPY DEPOSITIONS
1-800-729-1804